

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

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10 JOSEPH PHILLIPS,

11 Plaintiff,

12 v.

13 OFFICER NOONAN, et al.,

14 Defendants.

Case No. C08-1541-JCC

ORDER DISMISSING § 1983 ACTION

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16 The Court, having reviewed the Report and Recommendation of the Honorable Mary
17 Alice Theiler, United States Magistrate Judge, and the balance of the record, does hereby find
18 and ORDER:

19 (1) The Court adopts the Report and Recommendation;

20 (2) Defendants' Motion for Summary Judgment (Dkt. No. 36) is GRANTED and

21 Plaintiff's complaint and this action are DISMISSED with prejudice;

22 (3) Plaintiff's Motion to Issue Subpoenas (Dkt. No. 43) is DENIED AS MOOT; and

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1 (4) The Clerk is directed to send copies of this Order to Plaintiff and to Judge Theiler.
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3 DATED this 19th day of November, 2009.
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8 John C. Coughenour
9 UNITED STATES DISTRICT JUDGE
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